

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38642 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -NAWANGAR District- BUXAR

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Ram Niwas Ram, son of Ram Bachan Ram resident of Village- Jaishree, P.S.- Karakat, District- Rohtas at Sasaram, the B.A.O.- Cum- Incharge Paddy Procurement Centre, Nawanagar, P.S.- Nawanagar, District- Buxar.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food and Civil Supplies Corporation, Buxar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ram Binod Singh, Adv.
For the Opposite Parties : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-09-2016 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 406, 409 and 420 of the Indian Penal Code registered in connection with Nawanagar P.S. Case No. 19 of 2016.

3. It is submitted that the petitioner being the then Block Agriculture Officer, Kesath has been falsely implicated and in any event the shortage of paddy was well within the tolerance limit of 17% in terms of Food and Consumer Protection Department's letter No. 7714 dated 06.12.2013. In the instant case shortage of only about 400 quintals was found as against 17368.74 quintals of paddy purchased by the farmers.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of

communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Nawanagar P.S. Case No. 19 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/BT

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